

EDUCATION DEPARTMENT[281]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)"b."

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 256.7(5), the State Board of Education hereby proposes to amend Chapter 16, "Statewide Voluntary Preschool Program," Iowa Administrative Code.

2008 Iowa Acts, chapter 1181, section 69, predicated a school district's continued participation in the statewide voluntary preschool program that was created in 2007 Iowa Acts, chapter 148, on the district's compliance with accountability provisions. These amendments implement the legislation by providing a process for the Department and districts to utilize and by clarifying that a district remains in the statewide voluntary preschool program while the district is working to become compliant.

An agencywide waiver provision is provided in 281—Chapter 4.

Any interested person may make written comments on the proposed amendments on or before March 31, 2009. Comments should be directed to Carol Greta, Office of the Director, Second Floor, Grimes State Office Building, East 14th and Grand Avenue, Des Moines, Iowa 50319-0146. Comments may be sent by fax to (515)281-4122 or submitted by E-mail to carol.greta@iowa.gov.

These amendments are intended to implement Iowa Code section 256C.5(2)"b."

The following amendments are proposed.

ITEM 1. Strike "82GA,HF877" wherever it appears in rules **281—16.1(82GA,HF877)** to **281—16.15(82GA,HF877)** and insert "256C" in lieu thereof.

ITEM 2. Adopt the following new paragraph **16.11(1)"c"**:

c. Continuation of a school district's participation in the preschool program for a second or subsequent budget year is subject to the approval of the department based upon the school district's compliance with the accountability requirements in rule 16.3(256C) and the department's on-site review of the school district's implementation of the preschool program. The department shall follow the procedure set forth in subrule 16.13(3) if a district is found to be noncompliant with one or more of the accountability requirements.

ITEM 3. Adopt the following new subrule 16.13(3):

16.13(3) Noncompliance with program requirements. If the department determines that a participating district does not meet one or more of the accountability requirements provided in rule 16.3(256C), the department shall inform the school district of appropriate actions that shall be taken by the school district. The school district shall submit an action plan that is approved by the department and contains reasonable timelines for coming into compliance. The department shall facilitate technical assistance when requested. If the department determines that the school district is not taking the necessary actions in a timely manner, the director of the department may terminate the school district's contract as provided in subrule 16.8(2), second unnumbered paragraph. Until such time as the school district's contract is terminated, the school district may continue to participate in the statewide voluntary preschool program.